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TAGS: [PREL](#) [PARM](#) [SY](#) [KN](#) [IAEA](#) [KNNP](#)
SUBJECT: IAEA/SYRIA: LAYING GROUNDWORK FOR NONCOMPLIANCE?

Classified By: DCM GEOFFREY PYATT FOR REASONS 1.4 (B) AND (D)

¶1. (C) Summary and Comment: The Director General's report levies strong criticism of Syria "severely impeding" the safeguards investigation, and underlines Syria's legal obligations in this regard; this lays helpful groundwork for next steps by the Secretariat and/or the Board of Governors. However, the report is more of "placeholder" for the time being, putting Syria on "notice" but not yet proposing what the next steps might be. The IAEA Secretariat is waiting for the sampling results taken at the Miniature Neutron Source Reactor (MNSR), which could bolster its case. In the meantime, there was nothing in the report or the September 1 technical briefing that would take the pressure off Syria. Undoubtedly, Arabs/NAM will cite gratuitous references to Israel in the report and continue the "blame Israel" drumbeat. This does not discount the imperative for Syrian cooperation clearly conveyed in the report, cooperation which is not forthcoming to date.

¶2. (C) Summary and Comment cont'd.: Mission recommends that our posture in the Board room continue to be wholly supportive of the safeguards investigation and critical of Syria's non-responsiveness as undermining the IAEA and contrary to its obligations. We should dismiss efforts to deflect blame onto Israel as beside the point, in particular given the report and technical briefing's repeated assessment as to the improbability of Israeli munitions being the source of the uranium found at Al-Kibar. The bottom line is Syria has a lot of explaining to do. The U.S. and like-minded should specifically request that the Syria item remain on the agenda of the November Board. Although this report is stronger than that for the June Board, there is still the danger of "Board fatigue" if the investigation goes nowhere. We will underline that allowing that to happen would be a serious dereliction of the Board's responsibilities.

¶3. (SBU) The most cogent point in the Director General's report, for the first time, putting Syria on notice that "there is no limitation in comprehensive Safeguards Agreements on Agency access to information, activities or locations simply because they may be military related. The fact that the Agency has found particles of nuclear material of a type which is not in the declared inventory of Syria underscores the need to pursue this matter." Prompted by a question from the U.S., the Secretariat's technical briefing further debunked the Syrian contention of Israeli munitions being the source of the uranium. In response, Syrian Atomic Energy head Ibrahim Othman presented new and unconvincing theories on the origin of the uranium found at Al Kibar, offering up the possibility the uranium blew in on a dust storm from Iraq and also noting that anthropogenic uranium findings are meaningless as this type of uranium can be found anywhere, including the IAEA Library. He further provided a possible explanation on the uranium found at the Miniature

Neutron Source Reactor (MNSR) despite the IAEA's sample results are still pending. Trying to shift the focus to the U.S., Othman suggested the uranium came from a "Reactor Experiments" container obtained from the U.S. Mission appreciates any information regarding such a container that the U.S. may have shipped to Syria. Othman appears to feel pressure to deflect the scrutiny, but we continue to find a willingness among some Member States to ignore the case regardless of the facts.
End Summary and Comment.

DG Report: Military Sites Not Off-limits

¶4. (SBU) The DG's report on Syria (GOV/2009/56, August 28) calls attention to Syria's continued refusal to cooperate with the Agency's investigation into possible undeclared activities. The questions from previously reported findings of anthropogenic uranium at the Al-Kibar (Dair Alzour) facility remain unanswered, with Syria claiming that it has no obligation to provide more information under its Safeguards agreement due the military and non-nuclear nature of the site. Syria, for the past several Board sessions, has indicated its cooperation will not be at the expense of its national security (i.e. it will not include access to military facilities). The IAEA, for the first time, puts Syria on notice that "there is no limitation in comprehensive Safeguards Agreements on Agency access to information, activities or locations simply because they may be military related. The fact that the Agency has found particles of nuclear material of a type which is not in the declared inventory of Syria underscores the need to pursue this matter."

¶5. (SBU) The Agency notes its investigation has been "severely impeded" because of Syria's lack of cooperation and continues to ask for access to information, access to locations (including three locations alleged to be functionally related), and access to the debris removed from the Al-Kibar site during clean-up activities. Syria maintains the facility had been a military non-nuclear installation and that it had no nuclear cooperation with North Korea. Syria also noted to the Agency that the debris is gone, and it would be "impossible" to meet the Agency's request for access. The Agency indicates that Syria has declined the Agency's "repeated" requests to have substantive discussions on the nature of the destroyed building. On procurement, the Agency notes it is not in a position to confirm Syria's statements regarding the purpose of the procurement of named equipment and material.

¶6. (SBU) In contrast to the Al-Kibar investigation, Syria has cooperated with the Agency's investigation at the MNSR, the only declared nuclear facility in Syria, following findings of anthropogenic natural uranium of a type not declared at the facility. The IAEA performed a Physical Inventory Verification (PIV) on July 8, 2009, and took environmental samples at the facility. The Agency awaits the results.

Strong Technical Briefing by Secretariat

¶7. (SBU) The Secretariat made its case on the need for Syrian cooperation during the September 1 Technical Briefing. Max Aparo, Section Head in Safeguards Operations B Division responsible for Syria, delivered the briefing. While noting Syria's responses to the Agency's questions, Aparo followed with the Secretariat's assessments on Syria:

-- Presence of uranium at Al-Kibar (Dair Alzour) may point to nuclear related activities that require explanation;

-- Low probability that uranium found at Al-Kibar originated from munitions;

-- Resolution of this issue requires access to information, locations, equipment and material as requested by the Agency;

-- Based on the information provided, the Agency cannot confirm Syria's statements regarding the destroyed facility at Al-Kibar;

-- Features of the destroyed building are similar to what may be found in connection with a reactor site;

-- Information provided by Syria does not adequately support its assertions about Al-Kibar.

¶18. (SBU) Aparo closed the briefing by reiterating that there is no limitation on Agency access simply because a site is military-related. For next steps, he said that Syria needed to provide access, that the Agency stood ready to establish modalities with Syria to protect sensitive information at military-related sites. He also asked for Israel and others to share information and noted the Agency will continue its investigation into the origin of uranium contamination found at the MNSR.

¶19. (SBU) Aparo provided one additional detail regarding the attempted procurement of barium sulphate. The September DG Report notes that Syria cancelled its order for barium sulphate in the October 2007 and that this was unrelated to the September 2007 destruction of the building at Al-Kibar. During the briefing, Aparo added that Syria had told the Agency that the order for barium sulphate was bound for medical centers but was cancelled because it was determined that there was enough already available.

Clearing Up Misconceptions on
Origin of Uranium at Al-Kibar

¶10. (SBU) After Aparo's briefing, DCM asked the Secretariat to clarify its position on the possibility the uranium particles found at Al-Kibar originated from munitions, as we had heard from Algerian Board Chair Feroukhi that the Arab group considered this issue resolved after Syria explained to the group that the uranium came from Israeli munitions. Aparo clearly responded that this was not likely as the uranium found was isotopically natural (not depleted as expected in munitions) and the anticipated composition that would include other elements used in munitions were not found, such as titanium, molybdenum or copper/nickel used in the coating. Aparo said the munitions would also produce larger fragments and spherical particles, which did not match the particles found.

Syria Struggles to Find New Explanations
for the Uranium Traces at Al-Kibar

¶11. (SBU) Syrian Atomic Energy head Ibrahim Othman made an intervention during the question-answer session of the technical briefing, during which he presented new theories on the origin of the uranium found at Al Kibar. He first suggested the uranium blew into Syria from Iraq during a dust storm ("as thousands of pounds of depleted uranium have been thrown there"). Othman then tried to explain that "depleted uranium" does not mean that every particle is depleted, "some will be natural." (Comment: The IAEA has identified the uranium as anthropogenic (man-made/modified) and isotopically natural (meaning not enriched or depleted. End comment.) Othman tried to downplay the existence of any anthropogenic uranium, saying it is ubiquitous and could be found in London, Japan, and the IAEA Library, for example.

¶12. (SBU) Lastly, Othman tried to blame the uranium findings at the MNSR on a "Reactor Experiments" container obtained from the U.S. (Comment: Othman's explanation on the MNSR uranium comes a bit prematurely, as the IAEA does not yet

have its results for Syria to counter. End Comment.) We are unaware of what U.S. origin container Othman was referring to and would welcome Washington clarification in this regard.

DAVIES